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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/067,447	02/04/2002	Paul J. Smith	UTL 00151	7551

7590 04/05/2004

Kyocera Wireless Corp.
Attn: Patent Department
PO Box 928289
San Diego, CA 92192-8289

EXAMINER

LEON, EDWIN A

ART UNIT PAPER NUMBER

2833

DATE MAILED: 04/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/067,447

Applicant(s)

SMITH ET AL.

Examiner

Edwin A. León

Art Unit

2833

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 February 2004 and 01 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3, 6-10, 12, 13 and 17-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3, 6-10, 12-13 and 17-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment and Request for Continued Examination filed February 9, 2004 and March 1, 2004 in which Claims 1 and 10 have been amended, have been placed of record in the file.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-3, 6-10, 12-13 and 17-24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Boyd (U.S. Patent No. 2,922,211) in view of Applicant's admitted prior art and Huelster (U.S. Patent No. 2,486,411). With regard to Claim 1, Boyd discloses a recessed fastener adapter device comprising: an interface (46) having a top surface; and a fastener head engaging surface (inside surface of 46), a fastener head (62) having a top surface and wherein the fastener head engaging surface (inside surface of 46) engages a fastener head (62) and recesses the fastener head (62) and

Art Unit: 2833

wherein neither the top surface of the interface (46) nor the top surface of the fastener head (62) protrudes from a top surface of a panel (32). See Figs. 1-3.

However, Boyd doesn't show the adapter being used for recessing the fastener on a printed wire board.

Applicant's admitted prior art discloses the use of fastener in printed wire boards. Fig. 1B.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the adapter device of Boyd in a printed wire board as taught in Applicant's admitted prior art in order to install the printed wire board to any structure more efficiently and securely.

Still, the combination of Boyd and Applicant's admitted prior art does not show the fastener hole being a non-countersunk through-hole.

Huelster discloses a similar connector (Fig. 1) having a fastener hole (6a) being a non-countersunk through-hole (6a). See Fig. 1.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the adapter device of Boyd and Applicant's admitted prior art by making fastener hole a non-countersunk through-hole as taught in Huelster in order to use the adapter device with parts, plates or boards of different thickness (Column1, Lines 19-22).

With regard to Claim 2, Boyd discloses the interface (46) including a tube (body of 46) with an exterior surface, wherein a flange (48) extends radially outward from the exterior surface, and wherein the flange (48) has an upper surface. See Figs. 1-3.

With regard to Claim 3, Boyd discloses the fastener head engaging surface (inside surface of 46) including the tube (body of 46) having a closed end (lower part of 46) with a bore (Fig. 2). See Figs. 1-3.

With regard to Claim 6, Boyd discloses the interface (46) including a tube (body of 46) with an exterior surface; and, wherein the fastener head engaging surface (inside surface of 46) including the tube (body of 46) having a closed end (lower part of 46) with a stepped bore (Fig. 2). See Figs. 1-3.

With regard to Claim 7, Boyd discloses the tube (body of 46) exterior surface having a protrusion (52). See Figs. 1-3.

With regard to Claim 8, Boyd discloses a step in the tube (body of 46) exterior surface forms the protrusion (52). See Figs. 1-3.

With regard to Claim 9, Boyd discloses the tube (body of 46) exterior surface being grooved (52). See Figs. 1-3.

With regard to Claim 10, Boyd discloses a system, the system comprising: a panel (32) having a fastener hole (where 12 is inserted), a top surface, and a bottom surface; and, a recessed fastener adapter (12) including: a interface (46) including a top surface; and, a fastener head engaging surface (inside surface of 46), and the interface (46) interfacing with the panel (32) at the fastener hole (where 12 is inserted); and, wherein the fastener head engaging surface (inside surface of 46) engages a fastener head (62) having a top surface and recesses the fastener head (62) and wherein neither the top surface of the interface (46) nor the top surface of the fastener head (62) protrudes from a top surface of a panel (32). See Figs. 1-3.

However, Boyd doesn't show the adapter being used for recessing the fastener on a printed wire board.

Applicant's admitted prior art discloses the use of fastener in printed wire boards.

Fig. 1B.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to use the adapter device of Boyd in a printed wire board as taught in Applicant's admitted prior art in order to install the printed wire board to any structure more efficiently and securely.

Huelster discloses a similar connector (Fig. 1) having a fastener hole (6a) being a non-countersunk through-hole (6a). See Fig. 1.

Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to modify the adapter device of Boyd and Applicant's admitted prior art by making fastener hole a non-countersunk through-hole as taught in Huelster in order to use the adapter device with parts, plates or boards of different thickness (Column1, Lines 19-22).

With regard to Claims 12 and 21-24, Boyd discloses the interface (46) including a tube (22) with an exterior surface, wherein a flange (48) extends radially outward from the exterior surface, wherein the flange (48) has an upper surface. See Figs. 1-3.

With regard to Claim 13, Boyd discloses the fastener head engaging surface (inside surface of 46) including the tube (22) having a closed end (lower part of 46) with a bore (Fig. 2). See Figs. 1-3.

With regard to Claims 17-18, Boyd discloses the interface (46) including a tube (22) with an exterior surface; and, wherein the fastener head engaging surface (inside surface of 46) includes the tube (22) having a closed end (lower part of 46) with a stepped bore (Fig. 2). See Figs. 1-3.

With regard to Claim 19, Boyd discloses the tube (22) exterior surface having a protrusion (52). See Figs. 1-3.

With regard to Claim 20, Boyd discloses a step in the tube (22) exterior surface forms the protrusion (52). See Figs. 1-3.

Response to Arguments

4. Applicant's arguments with respect to claims 1-3, 6-10, 12-13 and 17-24 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

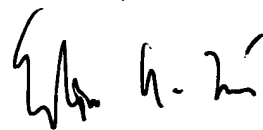
5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Edwin A. León whose telephone number is (571) 272-2008. The examiner can normally be reached on Monday - Friday 10:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Paula A. Bradley can be reached on 571-272-2800, extension 33. The fax

Art Unit: 2833

phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Edwin A. Leon
AU 2833

EAL
March 30, 2004